

Danielle Duprey

From: CMECF@ctd.uscourts.gov
Sent: Wednesday, May 1, 2019 5:24 PM
To: CMECF@ctd.uscourts.gov
Subject: Activity in Case 3:14-cv-01816-SRU Schmidt et al v. Conagra Foods, Inc. Set Deadlines/Hearings

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U.S. District Court

District of Connecticut

Notice of Electronic Filing

The following transaction was entered on 5/1/2019 at 5:24 PM EDT and filed on 5/1/2019

Case Name: Schmidt et al v. Conagra Foods, Inc.

Case Number: 3:14-cv-01816-SRU

Filer:

Document Number: No document attached

Docket Text:

Set Deadlines/Hearings: Discovery due by 6/28/2019. Dispositive Motions due by 7/31/2019. (Smith, E)

3:14-cv-01816-SRU Notice has been electronically mailed to:

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3:14-cv-01816-SRU Notice has been delivered by other means to:

Danielle Duprey

From: CMECF@ctd.uscourts.gov
Sent: Wednesday, May 1, 2019 5:19 PM
To: CMECF@ctd.uscourts.gov
Subject: Activity in Case 3:14-cv-01816-SRU Schmidt et al v. Conagra Foods, Inc. Order on Motion for Extension of Time

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U.S. District Court

District of Connecticut

Notice of Electronic Filing

The following transaction was entered on 5/1/2019 at 5:18 PM EDT and filed on 5/1/2019

Case Name: Schmidt et al v. Conagra Foods, Inc.

Case Number: 3:14-cv-01816-SRU

Filer:

Document Number: 126(No document attached)

Docket Text:

ORDER granting [125] Joint MOTION for Extension of Time until of Scheduling Order Deadlines. Signed by Judge Stefan R Underhill on 5/1/2019. (Smith, E)

3:14-cv-01816-SRU Notice has been electronically mailed to:

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3:14-cv-01816-SRU Notice has been delivered by other means to:

**UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF CONNECTICUT**

EMMA SCHMIDT and HALLIE MEYER,

Plaintiffs,

V.

CONAGRA FOODS, INC.,

Defendant,

Case No.: 3:14-CV-01816 (SRU)

April 25, 2019

JOINT MOTION TO MODIFY SCHEDULING ORDER

Pursuant to Fed. R. Civ. P. 16(b)(4) and Local Rule 7(b), plaintiffs Emma Schmidt, Hallie Meyer, and Associated Indemnity, and defendant ConAgra Foods, Inc. jointly move to modify the existing scheduling order issued on December 20, 2018 (Text Entry).

In the prior joint motion to modify the scheduling order submitted on December 18, 2018, the Parties recognized that defense expert depositions should be delayed pending the resolution of Defendant's motion to compel inspection and allow destructive testing. (Dkt. 115.) Since that time, the following developments have occurred:

1. On January 18 and February 12, 2019, Associated Indemnity produced 68 pages of new documents relating to the incident, some of which included redactions. On March 5, 2019, Associated Indemnity served responses to discovery, disclosing new witnesses and indicating that new documents relating to the incident would be forthcoming. The Parties are working to schedule additional depositions and resolve outstanding discovery issues. To date, Associated Indemnity has not completed its document production.
2. On March 4, 2019, the Court granted Conagra's motion to compel destructive testing. The Court required that the parties agree on an independent lab to conduct the testing.

3. On March 7 and March 8, 2019, Conagra took depositions of three newly-disclosed Associated Indemnity witnesses. Conagra anticipates needing to depose up to three more witnesses disclosed by Associated Indemnity.
4. On April 17, 2019, the Parties agreed on a laboratory for destructive testing and date (May 10, 2019) for destructive testing of the subject container. The Parties have exchanged proposals for the destructive testing, and are hoping to reach agreement on most, if not all, of the details.

Based on the foregoing, the Parties respectfully request that the Court modify the Scheduling Order in the above-captioned matter as follows:

Item	Current Deadline	Proposed Deadline
Destructive testing of “subject” container.		5/10/19
Deadline for Defendant’s experts to submit supplemental reports based on additional testing (assuming lab can certify results by 5/17/19).		5/31/19
Deadline to depose Defendant’s Experts	2/22/19	6/28/19
Deadline for all outstanding discovery relating to claims of Associated Indemnity, including depositions.		6/28/19
Dispositive Motions to be Filed.	3/29/19	7/31/19

The parties anticipate that the case would be ready for trial in late 2019.

THE PLAINTIFFS,

**EMMA SCHMIDT
HALLIE MEYER**

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**THE DEFENDANT,
CONAGRA FOODS, INC.**

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**THE PLAINTIFF,
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CORPORATION**

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CERTIFICATION

This is to certify that on April 25, 2019, a copy of the foregoing was filed electronically and served by mail on anyone unable to accept electronic filing. Notice of this filing will be sent by e-mail to all parties by operation of the court's electronic filing system or by mail to anyone unable to accept electronic filing as indicated on the Notice of Electronic Filing. Parties may access this filing through the court's CM/ECF System.

/s/ Todd R. Michaelis (ct28821)

Todd R. Michaelis